

# E-FILING IN MENDOCINO COURT – IMPORTANT INFORMATION

## IMPORTANT INFORMATION REGARDING CONFIDENTIALITY AND DISCLAIMER

Many filed documents are viewable by the general public through the Court's website and/or at the courthouse. It is the sole responsibility of the filer to ensure that confidential identifiers are properly omitted or redacted prior to transmission. California Rules of Court rule 1.201(a) requires the following:

"To protect personal privacy and other legitimate interests, parties and their attorneys must not include, or must redact where inclusion is necessary, the following identifiers from all pleadings and other papers filed in the court's public file, whether filed in paper or electronic form, unless otherwise provided by law or ordered by the court:

1. Social security numbers. If an individual's social security number is required in a pleading or other paper filed in the public file, only the last four digits of that number may be used.
2. Financial account numbers. If financial account numbers are required in a pleading or other paper filed in the public file, only the last four digits of these numbers may be used."

**The court is not responsible for ensuring that filers have properly redacted such personal information from filings.**

## ELECTRONIC FILING SERVICE PROVIDERS (EFSPs)

An E-filing Service Provider (EFSP) is an intermediary that sits between the filer and the court and provides value added services, training and support for e-filing.

California has many certified EFSPs. You may find a list of EFSPs at this website:

<http://www.odysseyfileca.com/service-providers.htm>

Once you select an EFSP and set up an account, you can file through that service provider every time.

## E-FILING AUTHORIZING STATUTES AND RULES OF COURT

General guidance and requirements for filers and courts can be found in California Rules of Court rules 2.250 through 2.261, in Code of Civil Procedures section 1010.6 and in Government Code section 68150.

Below are where you can find some of the most important points for filers:

- **CRC 2.259(a)** – Requirements for confirmation of receipt of filing and of its acceptance or rejection by the court.
- **CCP 1010.6 (8)(b)(3)** - Any document received electronically by the court between 12:00 a.m. and 11:59:59 p.m. on a court day shall be deemed filed on that court day. Any

document that is received electronically on a non-court day shall be deemed filed on the next court day.

- **CRC 2.257, CCP 1010.6** – Requirements for signatures on e-filed documents and electronic signatures by court and filers.
- **GC 68150(g)** - Any notice, order, judgment, decree, decision, ruling, opinion, memorandum, warrant, certificate of service, writ, subpoena, or other legal process or similar document issued by a trial court or by a judicial officer of a trial court may be signed, subscribed, or verified using a computer or other technology in accordance with procedures, standards, and guidelines established by the Judicial Council pursuant to this section. Notwithstanding any other law, all notices, orders, judgments, decrees, decisions, rulings, opinions, memoranda, warrants, certificates of service, writs, subpoenas, or other legal process or similar documents that are signed, subscribed, or verified by computer or other technological means pursuant to this subdivision shall have the same validity, and the same legal force and effect, as paper documents signed, subscribed, or verified by a trial court or a judicial officer of the court.

#### TYPICAL E-FILING REJECTION REASONS

- Incorrect court location selected
- Incorrect case category and/or case type selected
- Incorrect payment account option selected (i.e., fee waiver)
- Party's name entered in the Party Name field does not match document
- Incorrect party type selected
- Party's address does not match the address on the initial petition
- Incorrect document type is selected
- Illegible document submitted
- Multiple filing documents are submitted with a single filing code

#### DOCUMENTS NOT ACCEPTED THROUGH E-FILING

- a. In all actions: ex parte applications and all other ex parte filings; stipulation and proposed order; orders after hearing; orders of examination; trial exhibits; administrative records; documents responsive to subpoenas duces tecum; requests for judgment; proposed judgments; bonds and undertakings; out-of-state commissions; out-of-state judgments; subpoenas for out-of-state actions;
- b. In all actions: motions and/or declarations for disqualification of a judge pursuant to Code of Civil Procedures section 170.1 or 170.3 and peremptory challenges pursuant to CCP 170.6;
- c. In all actions: documents from health care providers and/or mental health professionals ordered by the court;

- d. In all actions: documents submitted to the court by the California Department of Corrections and Rehabilitation (CDCR), Department of State Hospitals (DSH), State Adoptions and other licensed adoption agencies;
- e. In probate actions: original wills; original codicils; documents lodged pursuant to Probate Code section 2620; letters of administration; letters of testamentary; certified copies of death certificates; letters of conservatorship or temporary conservatorship, letters of guardianship or temporary guardianship;
- f. In civil actions: mandatory settlement conference statements;
- g. In criminal actions: case initiating complaints/informations, and all documents filed before the complaint or information.

### E-FILING OF PROPOSED ORDERS

- Proposed orders will be accepted as “LODGED” only and transmitted back to the filer with LODGED Stamp
- Filing party will serve all other parties

### CONFIDENTIAL DOCUMENTS

- The filer may not establish a document’s security level.
- Documents submitted as “confidential” by the filer will only become confidential pursuant to legal authority or if that determination is made by the Court

### SUBMISSION OF COURTESY COPIES TO THE COURT

- The filer must e-file documents prior to submitting courtesy copies to the court
- Courtesy copy shall include Proof of Electronic Submission
- Courtesy copy is required if a document is filed within 2 days of hearing date (except ex parte)

### TECHNICAL REQUIREMENTS FOR E-FILED DOCUMENTS

Electronic documents must be submitted in searchable PDF format with searchable PDF/A as the preferred format. PDF/A is a format which excludes those PDF features that give rise to concerns about the ability to archive documents. Newer scanners allow users to directly create a PDF/A. Users with older scanners can use a conversion tool (such as Acrobat 9) to convert scanned documents to PDF/A.

### MORE INFORMATION AND FREQUENTLY ASKED QUESTIONS

Visit this website for more information on e-filing: <http://www.odysseyfileca.com/faqs.htm>